HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 7569 of 2007

DATED: 13-04-2007

Between:

Smt B.Laxmi

…Petitioner

and

The Hyderabad Urban Development
Authority, rep. by its
Vice-Chairman, Hyderabad and another

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 7569 of 2007

ORAL ORDER:

The writ petition is substantially and fundamentally misconceived.

A house bearing No. LIG 165, Madhuban Colony, Kattedhan Village, Rajendra Nagar Mandal, Ranga Reddy District was allotted to one Smt Saraswathi by the 1st respondent. Smt Saraswathi after taking possession of the house let it out to the petitioner. The petitioner claims to have been residing in the property since then, for about 18 years. For one year, the petitioner paid rents to Smt Saraswathi and thereafter could not pay the rents as Smt Saraswathi's whereabouts were not known. The petitioner approached the respondents and represented for allotment of the property to her. She sent a number of representations including the one dated 19-10-2006. At the instance of some officials of the respondents, the petitioner is stated to have been obtained an eligibility certificate dated 19-10-2006 from the Mandal Revenue Officer, Rajendra Nagar regarding petitioner's eligibility for allotment of a house as per norms, since she is having no house. By what authority the Mandal Revenue Officer, Rajendra Nagar granted such a certificate is not known. The Mandal Revenue Officer, Rajendra Nagar is not constituted an authority to issue certificates regarding the eligibility of persons for allotment of houses by the Hyderabad Urban Development Authority, under any law brought to the notice of this Court. Be that as it may.

Now, asserting that no allotment was made in her favour and that the respondents are likely to evict her from the premises and seeking a direction to the respondents to consider her request for allotment of the premises, the writ petition is filed.

If the allotment in favour of Smt Saraswathi was cancelled by the respondents, then the respondents will have to call for applications and follow a transparent method for allotment of the un-allotted house No. LIC 165, Madhuban Colony, Kattedhar Village, Rajendra Nagar Mandal, Ranga Reddy District. No premises could be allotted by the 1st respondent to any person on one to one negotiation basis. The 1st respondent is a public authority and is required to conduct its affairs including in the matter of granting largesse by way of allotments by following a procedure which would ensure equal opportunities to all persons qualified and eligible for allotment of houses. The 1st respondent does not have the competence in law to consider any singular application for allotment of houses.

On the aforesaid analysis, the petitioner has no legitimate right for grant of relief as prayed for in this writ petition. The writ petition is devoid of merits and is accordingly dismissed. There shall be no order as to costs.

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GODA RAGHURAM, J

13-04-2007
GRR